

10/16/01
JCS 985 U.S. PTO

10/18/01
A

CHOATE, HALL & STEWART

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

EXCHANGE PLACE

53 STATE STREET

BOSTON, MASSACHUSETTS 02109-2891

TELEPHONE (617) 248-5000

FACSIMILE (617) 248-4000

J1002 U.S. PRO
09/981623
10/16/01

Box Patent Application
Assistant Commissioner for Patents
Washington, DC 20231

Express Mail No.: EL603010839US
Attorney Docket No.: 2002971-0054
Date Filed: October 16, 2001

UTILITY PATENT APPLICATION TRANSMITTAL

(for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

Given Name (first and middle) Family Name or Surname Residence (City and State or Foreign Country)

Title of the Invention: **Methods and Apparatus for Preventing Migration of Sutures
Through Transosseous Tunnels**

A) APPLICATION ELEMENTS:

- 1) **Fee Transmittal Form** (original and duplicate submitted for fee processing)
- 2) **Applicant Claims Small Entity Status** (see 37 C.F.R. § 1.27)
 - a) Statement Verifying Small Entity Status (optional)

3) **Specification**

TOTAL PAGES: 20

- Descriptive Title of the Invention
- Cross References to Related Applications (if applicable)
- Statement Regarding Federally Sponsored R & D (if applicable)
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Summary of the Invention
- Description of the Drawing (if filed)
- Detailed Description of the Invention
- Claim(s)
- Abstract of the Invention

4) **Drawing(s)** (35 U.S.C. § 113) TOTAL SHEETS: 9

a) Formal Drawings (if checked)

5) **Oath or Declaration** TOTAL PAGES: 5

a) Newly Executed (original or copy)

b) Copy from a prior application (37 C.F.R. § 1.63(d))-for continuation/divisional application

i) Deletion of inventor(s): Signed Statement deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c) Unexecuted

6) **Application Data Sheet**. See 37 C.F.R. § 1.76.

7) **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**

8) **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)

a) Computer Readable Form (CRF)

b) Specification Sequence Listing on:

i) CD-ROM or CD-R (2 copies); or

ii) Paper

c) Statements verifying identity of above copies

B) ACCOMPANYING APPLICATION PARTS:

9) **Assignment Papers** (cover sheet & document(s))

10) **37 C.F.R. § 3.73(b) Statement** (when there is an assignee)

11) **Power of Attorney**

12) **English Translation Document** (if applicable)

13) **Information Disclosure Statement (IDS)/PTO-1449**

14) **Copies of IDS Citations**

Express Mail No.: **EL603010839US**

Attorney Docket: **2002971-0054**

Date Filed: **October 16, 2001**

15) **Preliminary Amendment**

16) **Return Receipt Postcard (MPEP 503)** (specifically itemized)

17) **Certified Copy of Priority Document(s)** (if foreign priority is claimed)

18) **Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(i)**

19) **OTHER:** (if applicable, specified below)

C) **FOR CONTINUING APPLICATIONS:** (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

continuation divisional continuation-in-part (CIP)

of prior application no.: 09/234,022

filed: January 19, 1999

examiner: Brown, M.

group/art unit: 3764

for continuation or divisional applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied as detailed above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

D.) **PRIORITY CLAIM(S):**

This application claims the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

| <u>Application Serial No.</u> | <u>Filing date</u> | <u>Status (patented, pending, abandoned)</u> |
|-------------------------------|--------------------|--|
| 08/689,443 | August 9, 1996 | issued |
| 08/163,130 | December 6, 1993 | issued |
| 07/765,445 | September 25, 1991 | issued |
| 07/588,055 | September 25, 1990 | abandoned |

This application claims the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Express Mail No.: **EL603010839US**
Attorney Docket: **2002971-0054**
Date Filed: **October 16, 2001**

| <u>Application Serial No.</u> | <u>Filing date</u> | <u>Status (pending, expired, abandoned)</u> |
|-------------------------------|--------------------|---|
|-------------------------------|--------------------|---|

E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

- Applicant claims small entity status 37 C.F.R. § 1.27.
- A check is enclosed to cover the filing fees.
- The commissioner is hereby authorized to charge filing fees or to credit any overpayment to deposit account number 03-1721.

| | |
|---|---------------|
| Basic Filing Fee (Large Entity) | \$740.00 |
| Additional Fees: | |
| Total Number of Claims in excess of 20: (21– 20) x \$18 | \$18.00 |
| Number of Independent Claims in excess of 3:(7– 3) x \$84 | \$336.00 |
| Multiple Dependent Claims 280: | <u>\$0.00</u> |
| Total Filing Fee: | \$1,094.00 |

EPA Docket # 3324703

Express Mail No.: **EL603010839US**
Attorney Docket: **2002971-0054**
Date Filed: **October 16, 2001**

F) CORRESPONDENCE ADDRESS:



Customer Bar Code Label: 24280
 Correspondence Address:

Elizabeth E. Nugent
Choate, Hall & Stewart
53 State Street
Exchange Place
Boston, MA 02109
phone: (617) 248-5000
fax: (617) 248-4000

PATENT TRADEMARK OFFICE

Respectfully Submitted,

Elizabeth E. Nugent
Registration No. 43,839

CHOATE, HALL & STEWART
53 State Street
Exchange Place
Boston, MA 02109
Phone: (617) 248-5000
Fax: (617) 248-4000

Express Mail No.: **EL603010839US**
Attorney Docket: **2002971-0054**
Date Filed: **October 16, 2001**